

Pandemic program fraud investigations have already uncovered \$57 billion in fraud and issued 1,200 indictments. The SBA is currently conducting a manual review of over \$3 billion in Restaurant Revitalization Fund awards, but in this program alone, more than \$9.5 billion of awards still require review.

We can't allow swindlers, scammers, and con artists to run out the clock, because for fraudsters, time flies when you are having fun.

Look no further than rapper Chris Brown, who exploited the SVOG Program to pay for his lavish \$80,000 birthday party and paid himself \$5.1 million in the process, and multilocation franchise CoreLife Eatery, which ignored location limits to feast on \$7.8 million in taxpayer funds.

Make no mistake, when it comes to fraud and abuse, this is just the tip of the iceberg. Thorough investigations take time, and investigators must be able to continue conducting this vital work on behalf of the American taxpayers. That is why I am urging my colleagues to support the SBA Fraud Enforcement Extension Act so fraudsters know the days of getting away with their scams are numbered. But if Congress continues to press "snooze," taxpayers are the ones who lose billions.

With that, I ask unanimous consent that the Senate proceed to the immediate consideration of the following bills en bloc: Calendar No. 134, S. 1199, and Calendar No. 135, S. 2232.

There being no objection, the Senate proceeded to consider the bills en bloc.

Ms. ERNST. I ask that the committee-reported substitute amendment to S. 1199 be withdrawn; that the Ernst substitute amendment at the desk be considered; that the Markey amendment to the Ernst substitute be considered and agreed to; that the Ernst substitute, as amended, be agreed to; further, that the committee-reported substitute to S. 2232 be agreed to; finally, that the bills, as amended, be considered read a third time and passed en bloc and that the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bills considered and agreed to en bloc are as follows:

SBA FRAUD ENFORCEMENT EXTENSION ACT

The Senate proceeded to consider the bill (S. 1199) to extend the statute of limitations for fraud under certain pandemic programs, and for other purposes, which had been reported from the Committee on Small Business and Entrepreneurship with an amendment to strike all after the enacting clause and insert the part printed in italic, as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the "SBA Fraud Enforcement Extension Act".

SEC. 2. STATUTE OF LIMITATIONS FOR CERTAIN PROGRAMS.

(a) *SHUTTERED VENUE OPERATORS.—Section 324 of division N of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9009a) is amended by adding at the end the following:*

"(g) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal prosecution or civil enforcement action for a violation of, or conspiracy to violate, section 371, 641, 1001, 1028A, 1029, 1341, 1343, 1349, 1956, or 1957 of title 18, United States Code, or section 3729 or 3802 of title 31, United States Code, with respect to any grant received or applied for under this section shall be filed not later than 10 years after the date of the violation or conspiracy."

(b) *RESTAURANT REVITALIZATION.—Section 5003 of the American Rescue Plan Act of 2021 (15 U.S.C. 9009c) is amended by adding at the end the following:*

"(d) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal prosecution or civil enforcement action for a violation of, or conspiracy to violate, section 371, 641, 1001, 1028A, 1029, 1341, 1343, 1349, 1956, or 1957 of title 18, United States Code, or section 3729 or 3802 of title 31, United States Code, with respect to any grant received or applied for under this section shall be filed not later than 10 years after the date of the violation or conspiracy."

(c) *CERTAIN ECONOMIC INJURY DISASTER LOANS.—Section 7 of the Small Business Act (15 U.S.C. 636) is amended—*

(1) by redesignating the matter appearing between paragraphs (12)(A) and (13) of subsection (a) and designated as subsection (b) (relating to deferred participation in loans) as subparagraph (B) and adjusting the margins 2 ems to the right; and

(2) in the second subsection (b), relating to disaster loans—

(A) by inserting after "(b)" the following: "FEDERAL DISASTER LOANS.—"; and

(B) by striking the second paragraph (16), relating to the statute of limitations, and inserting the following:

"(17) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal prosecution or civil enforcement action for a violation of, or conspiracy to violate, section 371, 641, 1001, 1028A, 1029, 1341, 1343, 1349, 1956, or 1957 of title 18, United States Code, or section 3729 or 3802 of title 31, United States Code, in which a borrower engaged in fraud with respect to a loan made under this subsection in response to COVID-19 during the covered period (as defined in section 1110(a) of the CARES Act (15 U.S.C. 9009(a))) shall be filed not later than 10 years after the date of the violation or conspiracy."

(d) *PAYCHECK PROTECTION PROGRAM.—Section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)) is amended by striking subparagraph (W) and inserting the following:*

"(W) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal prosecution or civil enforcement action for a violation of, or conspiracy to violate, section 371, 641, 1001, 1028A, 1029, 1341, 1343, 1349, 1956, or 1957 of title 18, United States Code, or section 3729 or 3802 of title 31, United States Code, in which a borrower engaged in fraud with respect to a covered loan guaranteed under this paragraph shall be filed not later than 10 years after the offense was committed."

(e) *PAYCHECK PROTECTION PROGRAM SECOND DRAW LOANS.—Section 7(a)(37) of the Small Business Act (15 U.S.C. 636(a)(37)) is amended by striking subparagraph (P) and inserting the following:*

"(P) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal prosecution or civil enforcement action for a violation of, or conspiracy to violate, section 371, 641, 1001, 1028A, 1029, 1341, 1343, 1349, 1956, or 1957 of title 18, United States Code, or section

3729 or 3802 of title 31, United States Code, in which a borrower engaged in fraud with respect to a covered loan guaranteed under this paragraph shall be filed not later than 10 years after the offense was committed."

The committee-reported amendment, in the nature of a substitute, was withdrawn.

The amendment (No. 5440) in the nature of a substitute was considered as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "SBA Fraud Enforcement Extension Act".

SEC. 2. STATUTE OF LIMITATIONS FOR CERTAIN PROGRAMS.

(a) *SHUTTERED VENUE OPERATORS.—Section 324 of division N of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9009a) is amended by adding at the end the following:*

"(g) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal prosecution or civil enforcement action for a violation of, or conspiracy to violate, section 371, 641, 1001, 1028A, 1029, 1341, 1343, 1349, 1956, or 1957 of title 18, United States Code, or section 3729 or 3802 of title 31, United States Code, with respect to any grant for shuttered venue operators under this section shall be filed not later than 10 years after the date of the violation or conspiracy."

(b) *RESTAURANT REVITALIZATION.—Section 5003 of the American Rescue Plan Act of 2021 (15 U.S.C. 9009c) is amended by adding at the end the following:*

"(d) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal prosecution or civil enforcement action for a violation of, or conspiracy to violate, section 371, 641, 1001, 1028A, 1029, 1341, 1343, 1349, 1956, or 1957 of title 18, United States Code, or section 3729 or 3802 of title 31, United States Code, with respect to any restaurant revitalization grant under this section shall be filed not later than 10 years after the date of the violation or conspiracy."

The amendment (No. 5441), to amendment No. 5440, was considered and agreed to as follows:

(Purpose: To require a report on Department of Justice activity relating to certain programs)

At the appropriate place, insert the following:

(c) **REQUIREMENT.**—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until the date that is 5 years after the date of enactment of this Act, the Attorney General shall submit to Congress a report on activities of the Department of Justice relating to the shuttered venue operators program under section 324 of division N of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9009a) and the restaurant revitalization program under section 5003 of the American Rescue Plan Act of 2021 (15 U.S.C. 9009c), which shall include—

- (1) the total number of investigations initiated, the total number of prosecutions initiated, the total dollar amount recovered by prosecutions, and the total number of referrals and source of such referrals; and
- (2) with respect to such programs—

(A) the number of investigations initiated, the number of prosecutions initiated, and the disposition of each prosecution;

(B) the number of prosecutions and the number of investigations of applicants of such programs in each State and territory based on the address listed on the application of the entity that is the subject of an investigation or prosecution;

(C) the number of referrals—
 (i) from the Department of Justice; and
 (ii) from sources other than the Department of Justice, such as the Inspector General of another agency; and
 (D) the disposition of each referral described in subparagraph (C), specifically whether the referral resulted in prosecution or declination.

The amendment (No. 5440), in the nature of a substitute, as amended, was agreed to.

The bill (S. 1199), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1199

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “SBA Fraud Enforcement Extension Act”.

SEC. 2. STATUTE OF LIMITATIONS FOR CERTAIN PROGRAMS.

(a) SHUTTERED VENUE OPERATORS.—Section 324 of division N of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9009a) is amended by adding at the end the following:

“(g) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal prosecution or civil enforcement action for a violation of, or conspiracy to violate, section 371, 641, 1001, 1028A, 1029, 1341, 1343, 1349, 1956, or 1957 of title 18, United States Code, or section 3729 or 3802 of title 31, United States Code, with respect to any grant for shuttered venue operators under this section shall be filed not later than 10 years after the date of the violation or conspiracy.”.

(b) RESTAURANT REVITALIZATION.—Section 5003 of the American Rescue Plan Act of 2021 (15 U.S.C. 9009c) is amended by adding at the end the following:

“(d) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal prosecution or civil enforcement action for a violation of, or conspiracy to violate, section 371, 641, 1001, 1028A, 1029, 1341, 1343, 1349, 1956, or 1957 of title 18, United States Code, or section 3729 or 3802 of title 31, United States Code, with respect to any restaurant revitalization grant under this section shall be filed not later than 10 years after the date of the violation or conspiracy.”.

(c) REQUIREMENT.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until the date that is 5 years after the date of enactment of this Act, the Attorney General shall submit to Congress a report on activities of the Department of Justice relating to the shuttered venue operators program under section 324 of division N of the Consolidated Appropriations Act, 2021 (15 U.S.C. 9009a) and the restaurant revitalization program under section 5003 of the American Rescue Plan Act of 2021 (15 U.S.C. 9009c), which shall include—

(1) the total number of investigations initiated, the total number of prosecutions initiated, the total dollar amount recovered by prosecutions, and the total number of referrals and source of such referrals; and

(2) with respect to such programs—

(A) the number of investigations initiated, the number of prosecutions initiated, and the disposition of each prosecution;

(B) the number of prosecutions and the number of investigations of applicants of such programs in each State and territory based on the address listed on the application of the entity that is the subject of an investigation or prosecution;

(C) the number of referrals—

(i) from the Department of Justice; and

(ii) from sources other than the Department of Justice, such as the Inspector General of another agency; and

(D) the disposition of each referral described in subparagraph (C), specifically whether the referral resulted in prosecution or declination.

EXPANDING THE SURETY BOND PROGRAM ACT OF 2025

The Senate proceeded to consider the bill (S. 2232) to expand the surety bond program under the Small Business Investment Act of 1958, and for other purposes, which had been reported from the Committee on Small Business and Entrepreneurship with an amendment to strike all after the enacting clause and insert the part printed in *italic*, as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Expanding the Surety Bond Program Act of 2025”.

SEC. 2. EXPANSION OF THE SURETY BOND PROGRAM.

Part B of title IV of the Small Business Investment Act of 1958 (15 U.S.C. 694a et seq.) is amended—

(1) in section 411 (15 U.S.C. 694b)—

(A) in subsection (a)(1)—

(i) in subparagraph (A)—

(I) by striking “\$6,500,000” and inserting “\$18,000,000”; and

(II) by inserting “, subject to the exception in subparagraph (B)” after “United States Code”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) (i) In any fiscal year in which the Administrator submits a formal request, including budget justification documents submitted by the Administrator to Congress, for supplemental funds under section 412(d), the amount described in subparagraph (A) shall be reduced by 33 percent.

“(ii) The limit described in clause (i) shall apply until the first of either—

(I) 12 months after the date on which the Administrator submits the formal request described in that clause; or

(II) 150 days after the date on which—

“(aa) the requested funds are provided, and the Administrator attests that the fee collection activities of the Administration are sufficient to maintain a deficit-neutral revolving fund; or

“(bb) the Administrator notifies Congress that funds are no longer required and attests that the fee collection activities of the Administration are sufficient to maintain a deficit-neutral revolving fund.

“(iii) After the expiration of the period described in clause (ii), the limit described in clause (i) shall revert to the amount designated in subparagraph (A).”; and

(B) in subsection (e)—

(i) in paragraph (1), by striking the comma at the end and inserting a semicolon;

(ii) in paragraph (2), by striking “\$6,500,000,” and inserting “the amount described in subparagraph (A) or (B)(i) of subsection (a)(1), as applicable.”; and

(iii) in paragraph (3), by striking “, or” and inserting “; or”;

(2) in section 412 (15 U.S.C. 694c)—

(A) in subsection (a), in the third sentence, by striking “, excluding administrative expenses.”;
(B) by redesignating subsection (b) as subsection (c);

(C) by inserting after subsection (a) the following:

“(b) Not more than 2 percent of the amount in the fund described in subsection (a) on the first day of each fiscal year may be obligated during

that fiscal year to cover costs incurred by the Administration in connection with the management and administration of this part, including costs related to information technology and systems, outreach activities, and relevant contracts.”; and

(D) by adding at the end the following:

“(d) If the Administrator notifies any committee of the Senate or the House of Representatives that supplemental funding is necessary to carry out the Surety Bond Program authorized under section 411(a)(3), the Administrator shall, on the same date, notify in writing the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives regarding the need for the supplemental funds.”; and

(3) by adding at the end the following:

“SEC. 413. REPORT.

“(a) SMALL BUSINESS ADMINISTRATION.—Not later than 90 days after the first day of each fiscal year, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report covering the period of the previous fiscal year describing the status and activities carried out under this part and the financial health of the revolving fund created under section 412(a), which shall include—

“(1) with respect to guarantees under this part—

“(A) the total dollar value in the aggregate among all sureties;

“(B) the total dollar value issued by sureties participating in the Prior Approval Program;

“(C) the total dollar value issued by sureties participating in the Preferred Surety Bond Guarantee Program authorized under section 411(a)(3);

“(D) the average bond size; and

“(E) the number of issued bonds that exceed the limits established under subparagraphs (A) and (B) of section 411(a)(1);

“(2) with respect to claims paid—

“(A) the total dollar value of claims paid in the aggregate;

“(B) the total dollar value of claims originating from bonds issued by sureties participating in the Prior Approval Program and the number of such claims; and

“(C) the total dollar value of claims originating from bonds issued by sureties participating in the Preferred Surety Bond Guarantee Program authorized under section 411(a)(3) and the number of such claims.

“(3) information on the solvency of the revolving fund, including—

“(A) the revolving fund balance at the end of the reporting period;

“(B) net cash flow;

“(C) administrative expenses incurred; and

“(D) the revolving fund balance at the end of the reporting period, adjusted for administrative expenses under subparagraph (C);

“(4) the number of sureties participating in the Prior Approval Program;

“(5) the number of sureties participating in the Preferred Surety Bond Guarantee Program authorized under section 411(a)(3); and

“(6) information on administrative expenses, including—

“(A) a description of administrative expenses claimed from the revolving fund under section 412(b) as of the end of the reporting period; and

“(B) the total cost of administrative expenses claimed.

“(b) GOVERNMENT ACCOUNTABILITY OFFICE.—Not later than 270 days after the date of enactment of the Expanding the Surety Bond Program Act of 2025, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the current processes of the Small Business Administration for approving applicants to the Surety